



# Refugee Law Project

A SPECIAL BULLETIN ON URBAN IDPs

July 2008

## *Resettlement Assistance Too Little, Urban IDPs Say*

**D**espite the stalled peace talks in Juba, many internally displaced persons (IDPs) living in Uganda's cities and towns have begun to plan for an end to their displacement. But many more could remain displaced indefinitely, as many of the urban IDPs the Refugee Law Project has spoken with say the government's return and resettlement assistance has so far been too little.

In February, Hon. Musa Ecweru, Ugandan Minister of State for Relief, Disaster Preparedness and Refugees, met with a group of urban IDPs living within a slum dubbed "Acholi Quarters" in the Kireka-Banda neighbourhood of Kampala. Ecweru offered to facilitate elders representing the different IDP groups in Kampala, Entebbe and Jinja to travel to their home districts to assess the feasibility of return to northern Uganda. He also promised lorry trucks for those willing to make the move, as well as offering some food assistance.

While elders from Kampala, Jinja and Entebbe have taken the opportunity of a "go and see" visit [see below], none of the urban IDPs we have spoken with have so far opted for the proffered lorries, as they feel it's a one-way trip north—and not necessarily to their home villages—where no further facilitation would be waiting for them. Return and or

resettlement is however a complex process requiring several back and forth trips before a decision to settle can be made. Many of IDPs say they would have to rebuild their homes, clear their fields and begin acquiring food supplies.

The Ugandan government and humanitarian assistance organization are tasked with supporting IDPs in the north as they move from the camps to their homes, and urban IDPs are now asking the government for recognition of their status and to guarantee them the same assistance upon return.

### *Legal Recognition of Urban IDPs*

**U**rban IDPs want recognition of their status in a fashion similar to that of camp-based IDPs in northern Uganda. Returning home with this formal recognition, they will be able to avail themselves of structures and frameworks for post-conflict reconstruction, such as the Peace, Recovery and Development Plan, and other transitional mechanisms that may be put in place for returning IDPs.

The government is hesitant to make such a formal commitment for a variety of reasons. First, if urban IDPs are able to access assistance outside the camps (i.e., in Kampala),

continued on next page



An Acholi woman making *waragi* at the Mpumudde IDP site in Jinja

### **From the National Policy for Internally Displaced Persons**

#### **Chapter 3.5 Legal status, identification and registration**

Local Governments shall issue to IDPs all necessary documents to enable them to realize full enjoyment and exercise of their rights....

...Women and men shall have equal rights to obtain identification documents and shall have the right to have such documentation issued in their own names.

this might create pull factors for other IDPs to come and live in cities, resulting in increased pressure on already overburdened public services, as well as other problems associated with urbanization. Also, in consideration of the fact that Ugandan citizens are not issued any form of national identification, there is reluctance to provide such a benefit to IDPs, whose legal status is technically no different from any other citizen. The government is also concerned that if it formally recognises urban IDPs, this large population may start making demands for assistance beyond what the government can provide.

Providing identification cards to all urban IDPs will also be problematic because no one knows the exact size or location of this population. Registration and profiling exercises requires time and resources. It is also difficult to differentiate between people who were actually forced to flee their homes, meeting the international definition of an IDP, and those who willingly migrated to the city for other reasons. Registration of IDPs is however an obligation of the government, clearly provided for in the national IDP policy.

### From the National Policy for Internally Displaced Persons

#### Chapter 3.14 Resettlement Kits

The OPM/DDP, Local Governments and humanitarian and development partners shall provide resettlement inputs and tools to returned and resettled families, as well as tool kits to support construction and self-employment. Displaced persons shall be consulted on the most appropriate inputs to meet their food security needs under prevailing conditions....



Mpumudde IDP site, Jinja

## *Elders Assess Return to North*

**E**lders representing IDP communities in Kampala, Jinja and Entebbe recently returned from “go and see” visit to northern Uganda, where they also held meetings with Local Government officials in their areas of former origin.

Their mission—organized by the Ministry of Relief, Disaster Preparedness and Refugees—was to assess the conditions relevant to possible return for urban IDPs and then to report back their findings to their respective communities.

They visited Amuria, Katakwi, Kaberamaido, Soroti, Amuru and Kitgum districts. From their assessment, the security situation was deemed acceptable in regard to armed conflict in all districts with the exception of Katakwi, where Karamojong raiders pose a risk. They however caution that the suspension of the Juba peace talks may jeopardize any prospects for actual return.

In Teso, most people have left the camps, however, the elders said many homes are no longer suitable places for

dwelling.

Food insecurity continues to be a major problem throughout the north. Despite the numerous assistance projects and actual improvements in the amount of food available to people, many people are still only able to eat once a day. The elders attribute the low agricultural activities to lack of tools and seeds. Therefore, many people are considering waiting for the next growing season before undertaking return.



A waragi distillery at the Mpumudde IDP site, Jinja

### Assistance So Far:

The Government of Uganda acknowledged the plight of urban IDP earlier this year when Minister of Disaster Preparedness Hon. Musa Ecweru toured the “Acholi Quarters” IDP site in Kireka-Banda. He promised the IDPs:

- Lorry trucks to haul their possessions to their home districts
- Facilitation in organizing “go and see” visits up-country for elders from the urban IDP communities
- Meetings between LCVs in northern districts and IDP representatives
- 50 bags of maize flour for IDPs in Kireka-Banda

Very few humanitarian agencies have yet programmed for urban IDPs. A few small organizations target displaced youth in Kampala.

## Urban IDPs: A ‘Pandora’s Box’ for Aid Agencies?

A complicating factor for humanitarian agencies assisting IDPs in northern Uganda are the unknown numbers of people returning home from urban areas in other parts of the country and the various patterns they are employing to return.

At the height of the war between the Lord’s Resistance Army and the Government of Uganda, there were nearly two million northerners displaced. Due to a number of reasons, including high exposure to violence, a number of IDPs opted out of encampment and fled to urban centres across the country, most notably Masindi, Kampala, Entebbe and Jinja. It is unknown now how many of these people have or are actively trying to return to the north.

This is an important demographic to understand, if government and humanitarian organizations hope to fulfil their obligations towards achieving durable solutions to IDPs. Currently, neither the government nor agencies fully understand the various patterns of

population movement. While some clarity exists regarding IDPs who move from camps to intermediary sites or to their homes, the total numbers of people moving remains quite unclear. Possible explanations include double registration of those moving from one location to another, IDPs moving between districts, and more significantly, returning urban IDPs.

Capturing the movement patterns of this urban population is undoubtedly daunting. However, this phenomenon has developed as a result of the failure of the government and humanitarian agencies to recognise and to programme for IDP populations outside northern Uganda. This is ostensibly because recognising and extending assistance to displaced persons in areas other than northern Uganda is, according to some humanitarians we have spoken to, akin to “opening a Pandora’s Box”. While it may well be a complicated enterprise to pursue, their protection needs and vulnerabilities should be the justifica-

tion to extending the legally prescribed assistance.

The Refugee Law Project has been led to understand that dealing with this population would create a host of new logistical problems for agencies. For instance, it is difficult to identify and channel assistance to IDPs who are living side-by-side with other slum dwellers. Also, the phenomenon of return is easier to deal with at an advanced stage of return, as is the case in northern Uganda. And lastly, some believe isolating urban IDPs from slum dwellers may be illegal, potentially equating to a form of discrimination. All of these excuses are veiled attempts not to recognise and extend assistance to what is already a long neglected group. In addition, these justifications have no legal basis, as the definition of internal displacement does not make a distinction between a displaced person’s location and delivery of assistance.

Thus far, humanitarian organization in Uganda have resisted acknowledging urban IDPs. It is a policy we hope will not go unchanged.